

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

MICHAEL SCOTT JACKSON,

Petitioner,

Civil No. 05-851-TC

v.

FINDINGS AND  
RECOMMENDATION

CHARLES DANIELS,

Respondent.

COFFIN, Magistrate Judge.

By Order (#13) entered November 3, 2005, petitioner was allowed 30 days to show cause why his unopposed petition for habeas corpus relief under 28 U.S.C. § 2241 should not be denied and this proceeding dismissed. Petitioner has not responded.

The record before the court indicates that petitioner was convicted of a crime of violence and is thus ineligible for a one year sentence reduction upon completion of the Bureau of

Prisons Drug and Alcohol Treatment Program. 18 U.S.C. § 3621(e)(2)(b); Paulson v. Daniels, 413 F.3d 999 (9<sup>th</sup> Cir. 2005). The BOP properly calculated petitioner's sentence under the circumstances of this case.

Moreover, the record reflects that petitioner was released from custody on January 22, 2006.

Petitioner's Petition (#1) should be denied. This proceeding should be dismissed on the ground that petitioner's claim is moot and for failure to prosecute.

DATED this 24 day of February, 2006

  
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Thomas M. Coffin  
United States Magistrate Judge